

BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
May 6, 2024
3:00 P.M.

The Brunswick County Board of Commissioners met in Regular Session on the above date at 3:00 p.m., Commissioners’ Chambers, David R. Sandifer Administration Building, County Government Center, Bolivia, North Carolina.

- PRESENT:

Commissioner Randy Thompson, Chairman
Commissioner Mike Forte, Vice-Chairman
Commissioner J. Martin Cooke
Commissioner Pat Sykes
Commissioner Frank Williams
- STAFF:

Steve Stone, County Manager
Bryan Batton, County Attorney
David Stanley, Deputy County Manager
Haynes Brigman. Deputy County Manager
Aaron Smith, Finance Director
Daralyn Spivey, Clerk to the Board
LeAnn Weigand, Executive Assistant
Meagan Kascsak, Communications Director
Jason Barnes, IT
Lt. Beck, Sheriff’s Office

Board Action, containing all items in this set of minutes, is filed within the Clerk to the Board’s office.

I. CALL TO ORDER

Chairman Thompson called the meeting to order at 3:00 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Williams gave the Invocation and led the Pledge of Allegiance.

III. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Thompson asked for adjustments to the agenda. Hearing none, Commissioner Cooke made the motion to approve the agenda. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).

IV. PUBLIC COMMENT

Chairman Thompson opened the public comment period at 3:03 p.m. with the following comments:

Carla Coltfish spoke about her affiliation with Medaci located in Supply and the services that would be offered to their clients.

William Flythe in support of the budget request and added personnel for the Board of Election for FY25.

Shelly Allen spoke to the Democratic Party’s support of the additional (2) full-time employees for the Board of Elections as requested in the budget for FY25.

Diana Fotinatos offered on behalf of the Library Board, thanks to the Board of Commissioner’s for their support over the last fiscal year.

David Smudski spoke to the Republican Party’s support of the Board of Elections additional personnel requests and commended the support the Commissioners have for the Board of Elections.

V. APPROVAL OF CONSENT AGENDA

Commissioner Cooke moved to approve the Consent Agenda. The motion was seconded by Commissioner Williams and passed unanimously (5 to 0).

1. **Administration – Economic Development – Resolution in Support of the Town of Belville’s Efforts to Redevelop and Revitalize Its Downtown Central Business District**

The Board of Commissioners adopted a Resolution in Support of the Town of Belville who is moving forward on their Vision 2030 Plan for Downtown Redevelopment of its Central Business District. The Resolution reads as follows:

RESOLUTION SUPPORTING THE TOWN OF BELVILLE'S EFFORTS TO REDEVELOP AND REVITALIZE ITS DOWNTOWN CENTRAL BUSINESS DISTRICT

WHEREAS, the Town of Belville (the “Town”) has declared its intent to redevelop and revitalize the Central Business District which has been blighted for many years; and

WHEREAS, the Town is empowered under the provision of Article 12 Chapter 160 of the N.C. General Statutes (the “Urban Redevelopment Law”) to exercise the powers provided in Section 160A-512 of the Urban Redevelopment Law which include the identification of a redevelopment area, the undertaking of the redevelopment, the entry into contracts necessary or convenient for the exercise of its powers and to borrow money from any number of public and private sources for the purposes authorized under the Urban Redevelopment Law: and

WHEREAS, the Town has determined that the redevelopment of the Central Business District is necessary and in the best interest of the health, safety, morals, and welfare of the residents of the Town, adheres to our Vision 2030 plan, CAMA Core Land Use Plan the county’s Blueprint Brunswick plan: and

WHEREAS, the redevelopment will create jobs both temporary and permanent, and provide for walkable mixed-use development enabling a hotel, restaurant, retail, entertainment and offices along with residences; and

WHEREAS, the March 2024 Economic Impact Analysis which was prepared by Creative Economic Development Consulting using the IMPLAN model indicated that a redeveloped Central Business District will create approximately 2,493 jobs and \$313 million in additional economic output in the Belville area economy plus increase Belville’s tax revenue by approximately \$170,000 and Brunswick County’s tax revenue by approximately \$530,000; and Belville is currently pursuing financing for the for the acquisition of land, a feasibility study, engineering, construction and development.

NOW THEREFORE BE IT RESOLVED THAT, the Brunswick County Board of County Commissioners do hereby support the efforts of the Town of Belville to pursue and obtain funding for the Belville Downtown Revitalization Project.

Adopted this the 6th day of May, 2024

Randy Thompson, Chair
Board of Commissioners

ATTEST:
Daralyn Spivey, NCCCC/CMC
Clerk to the Board

- 2. **Board of Elections – Board of Elections Second Primary Budget Amendment**
The Board appropriated \$77,860 to the Board of Elections to cover the estimated cost of a second primary election.
- 3. **Clerk to the Board – Meeting Minutes – April 15, 2024 Regular Meeting and the April 23, 2024 Special Meeting**
The Board approved the Regular Meeting minutes of April 15, 2024 and the Special Meeting minutes of April 23, 2024.
- 4. **Clerk to the Board – Resolution – Amending the FY24-25 Meeting Schedule**
The Board approved the below resolution amending the FY24-25 Meeting schedule. The Resolution reads as follows:

**RESOLUTION OF THE BRUSNIWCK COUNTY BOARD OF COMMISSIONERS
AMENDING THE FY2024-2025 REGULAR MEETING SCHEDULE**

WHEREAS, N.C.G.S. 153A-40, provides for a resolution establishing regular meeting dates of the Board of Commissioners.

WHEREAS, the FY2024-25 Regular Meeting Schedule was established by resolution of the Board of Commissioners on February 5, 2024.

WHEREAS, the Board of Commissioners wishes to move the July 8, 2024 regular meeting from 6:00pm to 2:00 pm.

NOW, THEREFORE, BE IT RESOLVED that the Brunswick County Board of Commissioners’ does hereby amend the FY24-25 meeting schedule to include the time change of July 8, 2024.

REGULAR MEETING SCHEDULE

July 8, 2024 at 2:00 p.m.	February 3, 2025 at 3:00 p.m.
August 5, 2024 at 3:00 p.m.	February 17, 2025 at 6:00 p.m.
August 19, 2024 at 6:00 p.m.	March 17, 2025 at 6:00 p.m.
September 3, 2024 at 3:00 p.m.	April 7, 2025 at 3:00 p.m.
September 16, 2024 at 6:00 p.m.	April 21, 2025 at 6:00 p.m.
October 7, 2024 at 3:00 p.m.	May 5, 2025 at 3:00 p.m.
October 21, 2024 at 6:00 p.m.	May 19, 2025 at 6:00 p.m.
November 4, 2024 at 3:00 p.m.	June 2, 2025 at 3:00 p.m.
November 18, 2024 at 6:00 p.m.	June 16, 2025 at 6:00 p.m.
December 2, 2024 at 3:00 p.m.	
January 21, 2025 at 6:00 p.m.	

Adopted this the 6th day of May, 2024.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

ATTEST:
Daralyn Spivey, NCCCC/CMC
Clerk to the Board

5. **County Attorney – Eagle Run, Phase 4A Deed of Dedication**

The Board accepted the Deed of Dedication for water and sewer infrastructure for Eagle Run, Phase 4A.

6. **County Attorney – Egret Landing Phase 3 Deed of Dedication**

The Board accepted the Deed of Dedication for water and sewer infrastructure for Egret Landing Phase 3.

7. **County Attorney – Groves at Southport, Phase 2 Deed of Dedication**

The Board accepted the Deed of Dedication for water and sewer infrastructure for the Groves at Southport, Phase 2.

8. **County Attorney – Middle Creek Village, Ph. 1, Sec 2.1 DOD**

The Board accepted the Deed of Dedication for water and sewer infrastructure for the Middle Creek Village, Ph. 1, Sec 2.1.

9. **County Attorney – Ocean Ridge Planation, Ph 6, Sec 2**

The Board accepted the Deed of Dedication for water and sewer infrastructure for the Ocean Ridge Planation, Phase 6, Section 2.

10. **County Attorney – Rich Square Multi Family, Phase 2, Lot #1-70 Deed of Dedication**

The Board accepted the Deed of Dedication for water and sewer infrastructure for the Rich Square Multi Family, Phase 2, Lot #1-70.

11. **County Attorney – The Sanctuary at Sunset Beach Phase 3 Deed of Dedication**

The Board accepted the Deed of Dedication for water and sewer infrastructure for the Sanctuary at Sunset Beach, Phase 3.

12. **Finance – Fiscal Items**

The Board approved Budget Amendments, Capital Project Ordinances, and Fiscal Items if a routine nature to include the following:

-Sheriff's Office Additional Revenues Budget Amendment

Appropriating Sheriff's Office anticipated additional revenues and expenditures.

-EMS Insurance Proceeds Budget Amendment

Appropriating \$18,360 of insurance proceeds for repairs to wrecked vehicles in the EMS department.

-Health Services Additional Revenues Budget Amendment

Appropriating additional revenues in the Family Planning budget for the purchase of all forms of contraceptives and additional state revenues in the Food and Lodging Inspections for supplies needed for inspections.

-Hwy 74/76 Industrial Park Tank Project Budget Amendment and CPO

Transferring \$27,500 for correction of closeout of 74-76 Water Tank main extension project and transfer of design of tank and existing water main connection project to include the redesign fee of \$27,500 previously approved and signed by the County Manager on November 20, 2023.

-Airport Grant 36237.45.19.1 Amendment 1 and 2 Budget Amendment and CPO

Appropriating additional grant revenues awarded under airport grant 36237.45.19.1 amendments 1 and 2 in the amount of \$126,950 with a required local match of \$15,603 transferred from the county capital reserve undesignated.

-Utility Operations Center Project Closeout Budget Amendment and CPO

Closing the Utilities Operations Center Expansion Project and return \$75,499 to the Water Capital Reserve undesignated funds.

-Tap on Supplies Budget Amendment

Appropriating \$250,000 of taps and connections revenue for capital outlay tap on supplies to meet current demands.

-Financial Reports for March 2024 (unaudited)

Summary Information for General and Enterprise Funds, ARPA and Opioid project statuses, key revenue indicators, and Cash and Investments detail are included. All year-to-date fiscal reports are provided at:
<https://www.brunswickcountynv.gov/305/Financial-Reports#>

13. Health Services – Consider Approval of Purchas with Grant Funds (AA910 in Health Services) Two Pieces of Equipment.

The Board approved two equipment purchases for Operations Services – Mosquito Control

14. Operation Services – AA910 Funding Redirection for CawCaw Excavator and Appropriate Available Solid Waste Revenues for Projected Year- End C&D Transfers

The Board approved the redirection of AA910 funding from an amphibious track vehicle to a large excavator for CawCaw and attachment mower head. Additionally, approved to appropriate available Solid Waste revenues for projected cost in Construction and Demolition (C&D) transfer expenditure line and additional mulching head attachment.

15. Operation Services – Amend Resolution to Post – Disaster Debris Policy

The Board approved the amended resolution of the county’s post-disaster debris management policy. The Resolution reads as follows:

**RESOLUTION TO AMEND THE
POST-DISASTER DEBRIS POLICY**

WHEREAS, the County of Brunswick, through its Commissioners, wishes to eliminate any immediate threats to lives, public health, and safety.

WHEREAS, the County of Brunswick, through its Commissioners, may use a significant portion of the available capacity of the landfill to dispose of incident-related debris.

WHEREAS, although the Federal Emergency Management Agency (FEMA) cannot provide public assistance funding for the value of the loss of landfill capacity due to incident- related debris.

WHEREAS, tipping fees will continue to be paid by the residents of Brunswick County to cover the county's waste disposal, recycling and/or reduction cost.

WHEREAS, when the disaster debris management and monitoring contracts and debris management sites are activated, FEMA provides public assistance funding for collection, disposal and/or processing of debris.

NOW THEREFORE, the Brunswick County Commissioners are hereby resolved to establish the following policies and procedures for post-disaster planning:

- Immediately following a significant disaster or debris event, debris management contractors will be directed to complete debris

assessments of unincorporated areas.

- Activation of the County's disaster debris contracts should be dependent upon the initial debris assessments. The threshold for reimbursement by the state for an undeclared event is damages in excess of 1% of the County's overall annual budget. Federal declaration criteria based on NCEM county threshold is currently \$4.60 per capita, which would equal an activation trigger of 36,792 cy's of debris based on current contract pricing and current population estimate.
- When disaster debris management and monitoring contracts are activated, temporary debris management sites will be required, and tipping fees will remain in place for the Brunswick County Landfill.
- Landfill airspace utilized for debris disposal will not be eligible for funding.
- Municipalities that activate disaster debris management contracts or that perform disaster debris collections may be required to use a temporary debris site instead of the landfill due to traffic and volume constraints.
- Debris disposal, recycling and/or reduction completed at the Brunswick County Landfill will be considered normal operations and tipping fees will not be waived.
- Storm debris collections performed by the County's disaster debris contractors should include private and orphaned roads and gated communities in the unincorporated areas. Collections in gated communities will only be conducted upon request and if the debris is determined to be a public safety issue.
- When disaster debris management and monitoring contracts are activated for all unincorporated areas countywide, then the county will also initiate the Memorandum of Agreement with NCDOT for debris collection on state roads in order to minimize confusion and maximize efficiency for residents.

Randy Thompson, Chair
Board of Commissioner

ATTEST:

Daralyn Spivey, NCCCC/CMC
Clerk to the Board

16. Operation Services – Building A Flooring Goods and Services Agreement

The Board approved the goods and services agreement with Carolina Commercial Floorcovering, Inc. to install flooring in Building A.

17. Parks and Recreation – Grant Submission for Playground at Navassa Park

The Board authorized the submission of the Play & Park Structures Healthy Kids Initiative Grant for Navassa Park Playground.

18. Planning – Brunswick County Unified Development Ordinance Modernization Project

The Board approved the contract for planning services with N-Focus, Inc. for the Brunswick County Unified Ordinance Modernization Project.

19. Sheriff's Office – GHSP LEL Grant Resolution

The Board approved a resolution and agreement of conditions as the next stage in the application process for the Governor's Highway Safety Program grant for Region 3 Law Enforcement Liaison position.

NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM

LOCAL GOVERNEMENTAL RESOLUTION

WHEREAS, the Brunswick County Sheriff’s Office (herein called the Agency), has completed an application contract for traffic safety funding and that Brunswick County Board of Commissioners (herein called the “Governing Body”) has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLOVED by the Brunswick County Board of Commissioners, in open meeting assembled in the city of Bolivia, North Carolina this 6th day of May 2024, as follows:

- 1. That the project referenced above is in the best interest of the Governing Body and the general public; and
- 2. That Sheriff Brian M. Chism is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor’s Highway Safety Program for federal funding in the amount of \$30,000 to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and
- 3. That the Governing Body has formally appropriated the cash contribution of \$0 as required by the project contract; and
- 4. That the Project Director designated in the application contract shall furnish or make arrangements for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governors Highway Safety Program; and
- 5. That certified copies of this resolution be included as part of the contract referenced above; and
- 6. That this resolution shall take effect immediately upon its adoption.

Done and ordered in open meeting by Chairman Thompson.

Attested by Daralyn Spivey.

Date: 5-6-2024

20. Superior Court – RANT Software Agreement – Superior Court
The Board approved a Memorandum of Agreement with the NC Administrative Offices of the Court for use of Public Health Management Corporations’ Risk and Needs Triage application; a web-based tool designed to help judges and other criminal justice professionals place adult drug offenders into the appropriate care setting.

21. Utilities – 74/76 Water Tank EDA Letter of Commitment
The Board approved a Letter of Commitment of funds for the 74/76 Water Tank Project as required by EDA for application submission. Brunswick County’s commitment of funds is estimated to be \$2,889,000 and would be approved for appropriation upon EDA issuance of the grant award.

VI. PRESENTATIONS

- 1. Emergency Management – National Hurricane Preparedness Week Proclamation**
Commissioner Cooke read the following proclamation in support of National Hurricane Preparedness Week 2024. The Proclamation reads as follows:

PROCLAMATION DESIGNATING MAY 5-11, 2024
NATIONAL HURRICANE PREPAREDNESS WEEK IN
BRUNSWICK COUNTY

WHEREAS, hurricanes and tropical systems have impacted Brunswick County with disastrous results; and

WHEREAS, hurricanes and tropical storms can cause life-threatening hazards such as flooding, storm surge, destructive winds, tornadoes and landslides; and

WHEREAS, flooding claims lives every year, usually when motorists attempt to drive through flooded roadways, and

WHEREAS, people are less likely to be injured when they have prepared ahead of time and know what to do when a hurricane threatens; and

WHEREAS, all county residents are encouraged to plan and prepare by assembling their personal emergency supply kits, creating and updating their emergency plans, knowing their evacuation routes, and complying with local and state authorities when asked to evacuate; and

WHEREAS, Brunswick County works together with the National Weather Service and local, state, and federal government officials before and during a hurricane or tropical storm to reduce the dangers posed to lives and property and provide a quick, effective response to these storms; and

WHEREAS, the observance of Hurricane Preparedness Week by Brunswick County residents provides better protection from the dangers of hurricanes and tropical storms.

NOW, THEREFORE BE IT RESOLVED, that the Brunswick County Board of Commissioners proclaim and declare the week of May 5th to 11th of 2024 as National Hurricane Preparedness Week in Brunswick County.

Randy Thompson, Chair
Board of Commissioners

Attest:
Daralyn Spivey, NCCCC/CMC
Clerk to the Board

Commissioner Cooke made the motion to approve the Proclamation. Vice – Chairman Forte seconded the motion and passed unanimously (5 to 0).

VII. ADMINISTRATIVE REPORT

1. **Utilities – Longwood Road Sewer – Funding Offer**
Vice – Chairman Forte made the motion to approve the resolution accepting the funding offer from the Department of Environmental Quality (DEQ) in the amount of \$14,956,200 for the design and construction of the Longwood Road Sewer Project (SRP-W-ARP-0297). The Resolution reads as follows:

RESOLUTION TO ACCEPT AN AMERICAN RESCUE PLAN ACT GRANT
FUNDING OFFER FROM THE NORTH CAROLINA DEPARTMENT
OF ENVIRONMENTAL QUALITY

WHEREAS, Brunswick County has received funding from the American Rescue Plan Act (ARPA) funded from the State Fiscal Recovery Fund established in S.L. 2021-

180/2022-74 to assist eligible units of government with meeting their water/wastewater infrastructure needs; and

WHEREAS, the North Carolina Department of Environmental Quality has offered American Rescue Plan Act (ARPA) funding in the amount of \$14,956,200.00 to **Brunswick County** to perform work detailed in the application submitted by **Brunswick County**, for the design and engineering of force main and low-pressure lines along Longwood Road (hereinafter the “Project”) ; and

WHEREAS, Brunswick County intends to perform said Project in accordance with the agreed upon scope of work.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BRUNSWICK COUNTY:

- 1. That Brunswick County does hereby accept the American Rescue Plan Act Grant offer of \$14,956,200.00 from the North Carolina Department of Environmental Quality for the Project.
- 2. That Brunswick County does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
- 3. That Mr. Steven T. Stone, County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this Project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure for the Project.

Adopted this the 6th day of May, 2024 at Brunswick County, North Carolina.

Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:
Daralyn Spivey, NCCCC/CMC
Clerk to the Board

Commissioner Sykes seconded the motion with all in favor (5 to 0).

2. Utilities – McGill – 23 Longwood Rd Sewer Project
Vice – Chairman Forte made the motion to authorize the Chairman to execute the Professional Services Agreement with McGill and Associates, in the amount of \$1,137,450 for engineering and other related services. Commissioner Sykes seconded the motion with all in favor (5 to 0).

VIII. BUSINESS/INFORMAL DISCUSSION

IX. CLOSED SESSION
The Board entered Close Session pursuant to N.C.G.S. 143-318.11(a)(1)(3), to approve Closed Session Minutes from March 4, 2024, and to consult with its attorney.

Mr. Batton noted the above statutory requirements.

Commissioner Williams made the motion to enter Closed Session at 3:26 p.m. The motion was seconded by Commissioner Sykes and passed unanimously (5 to 0).

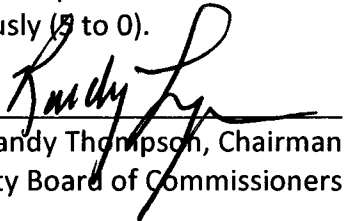
Chairman Thompson called the Regular Session to order at 3:39 p.m.

Mr. Batton requested the Board to authorize outside counsel for opioids to initiate litigation against pharmacy benefits managers including, but not limited to, Express Scripts and OptumRx.

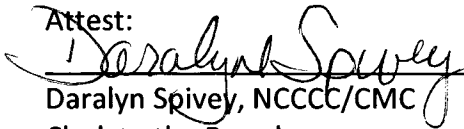
Vice – Chairman Forte made the motion to approve the hiring of outside counsel for the above litigation. Commissioner Williams seconded the motion and passed unanimously (5-0).

X. ADJOURNMENT

Commissioner Sykes moved to adjourn the meeting at 3:43 p.m. The motion was seconded by Commissioner Williams and passed unanimously (9 to 0).


Randy Thompson, Chairman
Brunswick County Board of Commissioners

Attest:


Daralyn Spivey, NCCCC/CMC
Clerk to the Board

